

**TOWN OF ROCKINGHAM  
BELLOWS FALLS VILLAGE CORPORATION  
Merger Committee Regular Meeting  
(Rockingham Selectboard & Bellows Falls Village Trustees)  
Tuesday, October 27, 2015**

Present: Ann DiBernardo, Peter Golec, Joshua Hearne, Thomas MacPhee, Nancy McAuliffe, Sanford Martin, Evelyn Weeks, Stefan Golec, Colin James

Absent: Susan Hammond

Also Present: Kristi Morris, Facilitator; Willis Stearns, II, Municipal Manager; Kerry Bennett, Recording Clerk; Deborah Wright; Catherine Bergmann; Margery Ladd; James McAuliffe; Kevin Kingsbury; Wade Masure

Press: Joey Powers, FACT8; Joel Slutsky, The Shopper

Call to Order: Meeting was called to order at 6:00 p.m. by Facilitator Kristi Morris.

Additions to the Agenda for Routine Administrative Matters and/or Pressing Matters that will require ratification at a future meeting: None

Approve Minutes of September 29, 2015: *Peter Golec made the motion to approve the minutes of September 29, 2015 as printed. Motion was seconded by Colin James. Motion passed unanimously.*

Public Comment on Items Not on the Agenda (3 minutes per person): None

Agenda:

1. Continue with Review of Draft Document: Morris reminded those present of the 2 hour time limit and read sections of the Rules of Procedure relative to public participation and motions.
  - a) Chapter Ten – Merger (24 V.S.A. Chapter 49)
    - 10.7 – Emergency Services: Morris read section 10.7 in its entirety. *Peter Golec made the motion to approve section 10.7 as read. Motion was seconded by Sanford Martin.* Deborah Wright noted that past practice has been to have a committee for emergency services and there is no language here that states this. Peter Golec asked if language should be added. MacPhee stated that he feels it should be kept as read. DiBernardo also felt that it should be left as is noting that she was a member of this committee in the past and it got nowhere. Catherine Bergmann asked if this was the section that defines who is paying for what? Stearns stated that was in the special service areas that has already been discussed and approved. Stearns did note that the committee would be reviewing these sections again. Bergmann asked if there would be a meeting to go over this charter. Morris again explained that there will be ample time for public participation and explained the process again. Morris called for a vote on the motion. *Motion passed unanimously.*

- 10.8 – First Merged Town Meeting: Morris read 10.8 in its entirety. *Thomas MacPhee made the motion to approve 10.8 as read with the deletion of “this charter” at the end of the last sentence. Motion was seconded by Ann DiBernardo.* The Committee discussed the way this would work with the board having been elected in March. Stearns stated that a new board would be elected in June to serve until the next March Annual Meeting. Wright stated she was concerned about the order of the wording. Morris explained that there would be a vote of the Town and Village, then the document would go to the General Assembly the following January and then a meeting in June following the General Assembly adopting the document. Bergmann asked if there would be a vote after the document went to the General Assembly. MacPhee stated that there would not. *Morris called for a vote on the motion. Motion passed unanimously.*
- 10.9 – First Merged Budget: Morris read 10.9 in its entirety. *Colin James made the motion to approve section 10.9 as read. Motion was seconded by Peter Golec.* James asked how the budget process would work. Stearns stated that the budgets would be voted as they are currently – the Town in March and the Village in May. These budgets would remain as voted until the next Town meeting in March at which time there would be a new merged budget. Bergmann stated that she was under the assumption that there would be figures available at this meeting. Stearns stated that they will be handed out under his presentation under Item 2 of this agenda. *Morris called for a vote on the motion. Motion passed unanimously.*
- 10.10 – Village Assets and Debt: Morris read 10.10 in its entirety. *Nancy McAuliffe made the motion to approve section 10.10 as read. Motion was seconded by Evelyn Weeks.* McAuliffe stated that she assumed the only indebtedness was with the police and fire department and asked if there was other indebtedness in the Village. Stefan Golec stated that the Village had just bonded for a lot of water and sewer work. Stearns stated that to be clear again, water and wastewater are user fee based and that is not Village taxpayer debt. Stearns stated that what the Village has for long term debt is approximately 2 years left on the police/fire building paid at \$15,000 per year, which could be paid off with the fund balance. Stearns also reminded the Committee not to confuse debt for water and wastewater as tax dollars. Margery Ladd asked what the total indebtedness was. Stearns stated that the debt held in the Village of Bellows Falls is \$30,000 for the police and fire building. Stefan Golec asked about assets, specifically the land that the Recreation facility is on and the Village Forest. Stearns stated that the Town insures the Rec facility and there is no insurance on land. Bergmann asked if the Village Forest was on the asset list. Stearns stated that what was included in the packet was the assets that are insured and land is not insured. Bergmann asked if the Village Forest was paid for by the Town. Stearns stated that there is no insurance on any open land or forested land. Bergmann asked if it was on the asset list. Stearns stated that it was on the asset list but not on the insurance list and the insurance list is what was requested and provided.

Bergmann noted that the number listed on the insurance list was not the total of all Village assets. Stearns stated that was correct. *Morris called for a vote on the motion. Motion passed unanimously.*

- 10.11 – Terms of Office: Morris read 10.11 in its entirety. *Colin James made the motion to approve section 10.11 as read. Motion was seconded by Sanford Martin.* James asked if it would be reasonable to increase the number of Selectboard members from 5 to 7. Peter Golec noted that it is currently very hard to find individuals to run for office. Martin noted that 60% of the town population lives in the Village and there will likely be representation of the Village in that election and should remain at 5. MacPhee agreed that there should remain 5 members elected at-large. Stearns noted that it appears that 10.11 is in direct conflict with 10.8. Wright stated that she feels the Village is poorly represented now and 10.8 would allow a fresh start. *Morris called for a vote on the motion. Motion passed unanimously.*

*Thomas MacPhee made the motion to delete 10.8 First Merged Town Meeting in its entirety and renumber Chapter Ten accordingly. Motion was seconded by Sanford Martin.* Peter Golec stated that he felt the first sentence of 10.8 should remain but delete all after “Vermont General Assembly”. Stearns stated that the sole purpose of this meeting was to elect a new Selectboard and if only that section was deleted what would be the purpose of holding a meeting. James felt it should be held to inform the public. Morris stated that by the time this was adopted by the General Assembly the public would have been duly informed. Wright stated that she felt that the Committee was in violation of Roberts Rules of Order by going back to 10.8 after it had been approved. Morris stated that as this was on the agenda and a conflict was discovered that it was OK to go back and resolve this. *Morris called for a vote on the motion. Motion passed with 8 in favor and Peter Golec opposed.*

- 10.12 – Village Ordinances: Kristi Morris read 10.12 in its entirety. *Peter Golec made the motion to approve 10.12 as read. Motion was seconded by Ann DiBernardo.* James asked for clarification wanting to know if this means that these ordinances could not be discussed for 2 years. Stearns stated that it did not, that it would mean the ordinances would stay in effect for 2 years unless amended or repealed. Hearne suggested that the 2 year language be taken out. *Joshua Hearne made the motion to amend the main motion to remove the language “for a period of two (2) years within the geographic area of the Bellows Falls Village Corporation”. Motion to amend was seconded by Thomas MacPhee. Morris stated that the Committee would now vote on the amendment to the motion. Motion passed unanimously. Morris stated that now the main motion would read “The ordinances of the Bellows Falls Village Corporation shall remain in full force and effect from the date this charter takes effect, unless such ordinances are sooner repealed or amended.” Motion passed unanimously.*

- 10.13 – Effective Date of Charter: Morris read 10.13 in its entirety. *Thomas MacPhee made the motion to approve 10.13 as read. Motion was seconded by Colin James.* Wright stated that it should say that both the Town and the Village must vote in the affirmative. Stearns stated that is what 10.13 (1) & (2) states. *Morris called for a vote on the motion. Motion passed unanimously.*
2. Presentation of Consolidated Plan of Merger – W. Stearns: Morris then turned the meeting over to Stearns for a presentation. Stearns distributed copies of a document titled “Town of Rockingham Plan of Merger” along with a sheet showing the financial impact. Stearns stated that there were hard copies available here tonight and this would be posted on the website. Stearns stated that at a recent meeting Dennis Harty asked why we were reinventing the wheel when numerous other towns & villages in the State of Vermont had gone through or were going through a merger and we should take a look at those documents. Stearns stated that he went through several plans of merger and charters and took sections from mostly Bradford, Essex Junction and Hartford documents while also incorporating items unique to this community, condensing this from a 25 page Draft Charter document to a 3 page Plan of Merger. Stearns then focused on the public safety aspect of the community including all 3 entities within the Town of Rockingham – rural Rockingham, Saxtons River and Bellows Falls Village.

Stearns pointed out on a map the 911 areas covered by each fire department and the cost to each community. While all 3 departments benefit from the purchase of major fire apparatus by the Town, only the Rockingham Volunteer Fire Department is budgeted by the Town. Bellows Falls and Saxtons River are budgeted through their specific budgets but also are taxed for the Rockingham Volunteer Fire Department. Stearns noted that it doesn’t seem reasonable that all 3 departments have ladder trucks for instance noting that it would seem that just Bellows Falls Department have a ladder truck while Rockingham and Saxtons River are more in need of tankers. Likewise all 3 departments have jaws of life –some do not work at all, others work somewhat and it would seem more cost efficient that we have one that is functional shared between the 3 departments and most likely housed in the Rockingham Fire Department facility as that department answers a significant number of 911 calls from Interstate 91. Stearns stated that while the Town purchases the major equipment, it is left up to each department to maintain it and that doesn’t seem like the way to go. Stearns stated that this “Plan of Merger” shows all 3 departments budgeted through the Town but maintains each station in their current status.

Stearns also noted that the Plan shows a town-wide police department, retaining the name of Bellows Falls Police Department but paid for town-wide and services offered town-wide. Stearns noted that the surveys conducted in Bellows Falls and Saxtons River show that the majority of voters want town-wide policing and fire.

Stearns noted that included in the packet was a one page financial grid using the current budgets. Stearns noted that attached to this was back-up information from these budgets.

Stearns again stated that these documents were available in hard copy tonight and will be available on the rockbf.org website by tomorrow morning. Stearns suggested that the November 24, 2015 agenda be dedicated to discussion of this Plan of Merger document.

Hearne stated that he felt it important to take a close look at the fire departments noting that a number of departments around the State are volunteer such as Bennington, that has 3 departments but all are volunteer. Stearns stated that the Bellows Falls Village currently ranks 3<sup>rd</sup> in density in the State with Winooski at #1, South Burlington at #2 and Burlington at #4. Hearne also stated that a plan of action is needed if the Town were to take over these budgets.

Bergmann stated that she had heard that the Bellows Falls Village was looking at being an ambulance service. Stearns stated that this has been discussed at the department level but has not gone to the boards at this point although now he believes it will be out there.

Set Agenda Items for November 24, 2015:

- Plan of Merger & Financial Information presented by Stearns at the 10/27/2015 meeting.

Other Business:

- Hearne asked that all 4 chiefs be invited to attend the November 24 meeting.
- Wright asked that a list of all assets be provided.

Adjourn: *Colin James made the motion to adjourn the meeting at 7:55 p.m. Motion was seconded by Thomas MacPhee. Motion passed unanimously.*

Attest: \_\_\_\_\_  
Kerry Bennett, Recording Clerk